

**MINUTES**  
**MONROE COUNTY CONTRACTORS' EXAMINING BOARD REGULAR MEETING**  
Tuesday, March 11, 2014, 9:30 a.m.  
Marathon Government Center

1. Call to Order/Roll Call:

Chairman Rudy Krause called the meeting to order at 9:35 a.m. Present were Peggy Bankester, Steve Henson, Bill Miller, Chris Sante, Alesha Scheuerman, and Chairman Krause.

Excused absence were VC Bill Kelly, Gary Centonze, Frank Toppino, Alternate, and Charles Miller, Second Alternate.

Present with no roll call were Attorney Thomas Wright, Attorney Steve Williams, and Building Official/Secretary Jerry Smith.

2. Agenda Changes:

a. Chair Krause:

1. Announced that he would hear New Business first.

3. Approval of Agenda:

Motion made by Mr. Henson to approve agenda as presented and seconded by Mrs. Scheuerman; no nay votes.

4. Approval of Minutes:

- a. Regular Meeting: January 14, 2014  
February 11, 2014

Motion made by Mr. Sante approving the minutes as presented and seconded by Mrs. Scheuerman; no nay votes.

5. Next Meeting Dates:

- a. Regular Meeting: May 13, 2014

6. Swearing-in of Witnesses to Testify:

Attorney Wright swore-in all of those testifying at today's meeting.

7. Chairman asked if "is there anyone from the public present who would like to speak on an agenda item?" No one commented on the matter.

8. Chairman asked if "any board member been contacted outside the presence of this meeting regarding an agenda item? If so, to please disclose the nature of the contact? No one commented on the matter.

9. New Business

a. Applications of Expired Certificate of Competency

1. Edward J. Moran SP 3136  
Artistic Concrete Design Corp  
Painting & Decorating Contractor certificate of competency expired 10/31/2013.

*Note: meeting recessed due to power outage at 9:40 a.m.*

*Attorney Williams arrived at meeting at 9:40 a.m.*

*Meeting reconvened after power returned at 9:52 a.m.*

Mr. Moran addressed the Board regarding his expired certificate of competency. After discussion, motion was made by Alesha Scheuerman and seconded by Steve Henson recommending the renewal of the certificate of competency and renewal fee of \$150; no nays.

## 2. Stanley Scott

Mr. Scott addressed the Board regarding his expired certificate of competency, but was advised that he must first file the proper application and fee for the May 13, 2014 meeting.

## 3. Bill C. Ellis SP 1695

Ellis Aluminum & Screen, Inc.

Aluminum Specialty Contractor certificate of competency expired 10/31/2013.

Mr. Ellis addressed the Board regarding his expired certificate of competency. After discussion, motion was made by Chris Sante and seconded by Peggy Bankester recommending the renewal of the certificate of competency and renewal fee of \$150; no nays.

## 4. Marcus A. Arce PC 474

Roberts Plumbing Company, LLC.

Plumbing Contractor certificate of competency expired 10/31/2013.

Mr. Arce addressed the Board regarding his expired certificate of competency. After discussion, motion was made by Steve Henson and seconded by Alesha Scheuerman recommending the renewal of the certificate of competency and renewal fee of \$150; no nays.

## 5. Gary R. Fitzgerald JE 973

Journeyman Electrical

Journeyman Electrical certificate of competency expired 10/31/2013.

Mr. Fitzgerald addressed the Board regarding his expired certificate of competency. After discussion, motion was made by Chris Sante recommending the renewal of the certificate of competency and renewal fee of \$150. Mr. Sante amended his motion to reflect the correct renewal fee of \$70.00. Motion seconded by Steve Henson; no nays.

## 6. Jonathan C. King LVSS 1272

Reef Radio Electronics, LLC.

Low Voltage Unlimited Electrical Contractor certificate of competency expired 10/31/2013.

Mr. King addressed the Board regarding his expired certificate of competency. After discussion, motion was made by Alesha Scheuerman and seconded by Steve Henson recommending the renewal of the certificate of competency and renewal fee of \$150; no nays.

## 7. Ricardo Montano EC 1352

Power Plus Electric of the Keys, Inc.

Electrical Contractor certificate of competency expired 10/31/2013.

Mr. Montano addressed the Board regarding his expired certificate of competency. After discussion, motion was made by Bill Miller and seconded by Steve Henson recommending the renewal of the certificate of competency and renewal fee of \$150; no nays.

## 8. Alfred C. Wicht SPC 1508

Pool Designs

Swimming Pool Contractor certificate of competency expired 10/31/2013.

Attorney Wright swore-in Mr. Wicht.

Mr. Wicht addressed the Board regarding his expired certificate of competency. After discussion, motion was made by Chris Sante and seconded by Peggy Bankester recommending the renewal of the certificate of competency and renewal fee of \$150; no nays.

Ms. Mayan (staff) advised the board and Mr. Wicht that we would need to close two code cases prior to the issuance of the certificate of competency. The fines and costs were paid on both

cases but were never closed by the inspector of record. An e-mail was sent to the inspector days prior to today's meeting but cases remain open as of meeting day.

New Business / Applications of Expired Certificate of Competency continued

9. Thomas C. Baker SP 844  
Tom Baker The Cabinet Maker, Inc.  
Cabinet & Millwork Contractor certificate of competency expired 10/31/2013.

Mr. Baker addressed the Board regarding his expired certificate of competency. After discussion, motion was made by Chris Sante and seconded by Alesha Scheuerman recommending the renewal of the certificate of competency and renewal fee of \$150; no nays.

10. John E. Gannaway SP 1781  
Gannaway Brothers Plastering, Inc.  
Plastering Specialty Contractor certificate of competency expired 10/31/2013.

This item was carried over from the February 11, 2014 meeting where Mr. Gannaway failed to appear before the CEB. Mr.

Mr. Gannaway failed to appear before the Board. After discussion, motion made by Mr. Henson and seconded by Mrs. Bankester recommending to deny application and require him to pay a new application fee. After discussion, motion carried unanimously.

11. Caridad Gomez SP 1694  
Gomez & Son Fence  
Fence Erector Contractor certificate of competency expired 10/31/2013.
12. Michael Cinque SP 1514  
Island Concrete & Masonry Construction, Inc.  
Masonry Contractor certificate of competency expired 10/31/2013.

Items 11 and 12 addressed together. Ms. Gomez and Mr. Cinque failed to appear before the Board to address her expired certificate of competency. Mr. Sante made a motion and Mrs. Bankester seconded the motion recommending carrying Ms. Gomez and Mr. Cinque's application to the next meeting (May 13) and then deny the application if they fail to show.

Chairman Krause advised that Mr. Cinque contacted him the morning of the meeting to let him know that he would not be attending due to an emergency. Mr. Sante and Mrs. Bankester both accepted Mr. Henson's friendly amendment recommending withdrawing Mr. Cinque from the motion leaving only Ms. Gomez. Roll Call Vote: Yes: Mrs. Bankester, Mr. Sante, and Chairman Krause; No: Mr. Henson, Mr. Miller, and Mrs. Scheuerman. 3-3 tied. Motion dies.

New motion made by Mr. Henson and seconded by Mr. Miller recommending deny Ms. Gomez's application and require a new application her to pay a new application fee. After discussion and consideration, Mr. Henson rescinded his motion.

New motion made by Mr. Sante and seconded by Mr. Henson recommending carrying Ms. Gomez and Mr. Cinque's application to the next available meeting, and then under new business discusses a possible procedural change. Motion carried unanimously.

10. Code Compliance Cases:  
a. CE14020012 Notice of Appeal  
Louis R. Schwartz CBC1253816  
Catalina Caststone Creations, Inc.

## 6-202.(11)a Work without benefit of a permit

Sworn-in by Attorney Wright.

CE14020012 continued

Mr. Schwartz was present without legal representation present to address the Board and did not contest the violation but offered an explanation. Gay Marie Smith present as a witness for Respondent. Code Compliance Inspector Bruno was present to address the County. After testimony and evidence was taken from all parties, motion was made Mr. Henson and seconded by Mrs. Bankester recommending to find Respondent IN violation as cited. Motion carried unanimously.

Penalty Phase – Motion made by Mr. Henson and seconded by Mrs. Scheuerman recommending imposing administrative costs of \$188.88 and no further action to the State of Florida Construction Industry Licensing Board. Motion carried unanimously.

- b. CE14010006 Notice of Appeal  
Anthony S. Conte  
6-234.(a) Advertising without a certificate of competency

Mr. Conte was present without legal representation to address the Board and did contest the violation. Code Compliance Inspector Bruno was present to address the County. After testimony and evidence was taken from all parties, motion was made by Mr. Sante and seconded by Mr. Miller recommending to find Respondent IN violation as cited, deny the appeal, and pay administrative costs of \$108.11. Mr. Sante and Mr. Miller both accepted Vice-Chairman Kelly's friendly amendment recommending costs be paid within 30 days or lien. Motion carried unanimously.

- c. CE13120126 Notice to Appear  
Edilberto Lopez  
Discount Rock & Sand, Inc.  
6-77 No certificate of competency

Subpoenaed: Anthony D'Ascanio CGC026675  
Eric F. Salazar CGC1507778  
Alexis Gonzalez

Mr. Lopez was present without legal representation to address the Board and did contest the violation. Case was continued from the January 11, 2014 CEB meeting in order to subpoena Anthony D'Ascanio, CGC026675, D'Assign Source, Eric F. Salazar, CGC1507778, Slazar Construction, Inc., and Alexis Gonzalez. Present from the list of subpoenas were Anthony D'Ascanio, Oscar Garcia for Eric F. Salazar, and Alexis Gonzalez. Mr. Salazar was properly subpoenaed and it was established that good service was received, however, he failed to appear, and sending Oscar Garcia in his place. Alexis Gonzalez did not speak/know the English language. Odalys Mayan, staff, was sworn-in by Attorney Wright and served as the interpreter.

Code Compliance Inspector Bruno was present to address the County. After testimony and evidence was taken from all parties, motion was made by Mr. Sante and seconded by Mr. Henson recommending to find Respondent IN violation as cited and pay administrative costs of \$380.11. Motion dies for lack of second.

New motion made by Mr. Sante and seconded by Mr. Henson recommending to find Respondent NOT in violation. After discussion, Roll Call Vote: Yes: Mr. Sante, Mrs. Bankester, and Mr. Miller; No: Mr. Henson, Mrs. Scheuerman, and Chairman Krause. 3-3 tie.

New motion made by Mr. Henson and seconded by Mrs. Scheuerman recommending to find Respondent IN violation based on own testimony. Roll Call Vote: Yes: Mr. Henson, Mrs. Scheuerman, Mr. Sante, and Mr. Miller; No: Mrs. Bankester and Chairman Krause. 4-2 vote. Motion passes.

Penalty Phase – Motion made by Mr. Sante and seconded by Mr. Henson recommending administrative costs of \$380.11 to be paid within 30 days or lien. Roll Call Vote: Yes: Mr. Henson, Mrs. Scheuerman, Mr. Sante, and Mr. Miller; No: Mrs. Bankester and Chairman Krause. 4-2 vote. Motion passes.

*Mr. Gonzalez was advised that he must pay outstanding citation number CE13120118 or county will lien.*

Chairman recessed meeting at 11:55 a.m.

Chairman reconvened meeting at 12:13 p.m.

#### 11. New Business

##### a. Construction Trades Application Review

Applications read into the record

1. Sonia Barajas – Application for a Tile, Terrazzo, & Marble certificate of competency.(Second Review); approved by Chairman Krause.
2. John M. Gilbert, Jr. CBC059927 - Application for a Painting & Decorating Certificate of Competency by waiver of examination; approved by Mr. Henson.
3. Frederick A. Isbell, Jr. – Application for Cabinet & Millwork; denied by Mrs. Alesha Scheuerman for lack of proof of two-year experience.
4. Harley L. Born – Application for Plastering/Stucco certificate of competency; approved by Mr. Sante.
5. Steven Elliot Rawiszer – Application for an Acoustical Ceiling Certificate of Competency by wavier of examination via reciprocity from Broward County. Mr. Williams read the application into the record on 02/11/2014) but failed to say if he approved or denied the application. Application approved by Mr. Miller.
6. Jeffrey Carbonell – Application for a Masonry Certificate of Competency. (Second review). Mr. Williams read the application into the record (02/11/2014) but failed to say if he approved or denied the application. Application approved by Mr. Miller.

##### b. Motion for Imposition of Fines & Costs / Lien Request for Non-Payment of Citation

1. CE13020002 - Motion made by Mr. Sante and seconded by Mrs. Bankester recommending the approval of the Motion of Imposition of Fines/Liens including administrative costs and filing fees; no nays.
2. CE13120118 - Motion made by Mr. Sante and seconded by Mrs. Scheuerman recommending the approval of the Motion of Imposition of Fines/Liens including administrative costs and filing fees; no nays.

##### c. Re-election of Members

###### 1. Contractors' Examining Board

- i. William (Bill) Miller CMC057213 – Term Expiring June 15, 2014

Mr. Miller advised that he would be making his license with DBPR inactive.

Discussion: Chairman Krause advised the Board that both Attorney Williams and Wright advised regarding that VC Kelly can still serve on the CEB as long as he recuses himself from any City of Marathon case. VC Kelly has accepted a position with the City of Marathon Code Board.

After discussion, motion was made by Mr. Henson and seconded by Mrs. Bankester to change MCC 6-263 to allow contractors with an inactive license for reason of retirement to be considered board member

New Business /Re-election of members / Bill Miller

in addition to active contractors; no nays.

- ii. Alesha Scheuerman – Term Expiring June 15, 2014  
There being no other nominations, Mrs. Scheuerman was re-appointed to one additional three-year term; no nays.
- iii. Peggy Bankester – Term Expiring June 15, 2014  
Mrs. Bankester expressed interest in remaining on the board but as an alternate. Per 6-263.(6), she is not eligible. There being no other nominations, Mrs. Bankester was re-appointed to one three-year term; no nays.
- iv. Chris Sante – Term Expiring May 1, 2014  
There being no other nominations, Mr. Sante was re-appointed to one three-year term; no nays. Mr. Sante was on the board fulfilling Mr. Vetrick's (deceased) term.
- v. Frank Toppino ENG I 132A, Alternate, Term Expiring May 1, 2014  
There being no other nominations, Mr. Toppino was re-appointed to one three-year term; no nays.

*Note: Building Official Smith arrived at meeting.*

12. Old Business:

a. 02/11/2014 CEB Meeting

- 1. William F. Miller CMC057213 (*previously discussed under Re-election of Members*)
- 2. Clarification and amendment of MCC 6-240
- 3. Clarification and amendment of MCC 6-237.(1)(a)
- 4. Clarification (and possible amendment) of MCC 6-263

b. 11/19/2013 CEB Meeting

- 1. Amendment to MCC 6-198 to add welding

c. 11/13/2012 CEB Meeting

1. Longshoreman's Insurance update

Item Numbers 2, 3, & 4, Attorney Williams will draft and present as one to present to the BOCC, including amendment to MCC 6-32 Working through a stop work order.

Attorney Williams advised that he would get everything that has accumulated since the last BOCC meeting and put it together to the BOCC unless instructed otherwise by the CEB.

Attorney Williams will be scheduling a meeting with County Attorney Pedro Morales regarding longshoremen insurance

13. Staff Reports

## a. Jerry Smith, Building Official/Board Secretary

1. Fee Schedule to go before the BOCC for approval/vote.
2. Meeting trying to work out details for satellite offices in Ocean Reef Club and Big Pine Key for intake.
3. Contract with MTCI contract to supplement staff when needed.

## DISCUSSION:

## 1. Fee Schedule

In response to Mr. Henson's question regarding how the fee schedule compares to other counties, BO Smith stating, "higher than some, lower than others." It should be more proportional with the type of permit/scope of work than what we currently have. The cost of the permit, inspections fees, reviews were the same regardless of the type of construction.

## 2. IVR

Building Official stated that he is planning to purchase the component that would allow for online scheduling and module for credit card payments in order to be more cost effective and speedier.

*Building Official apologized for not being at the meeting earlier but he was in a meeting, and left the room to go to another meeting.*

## b. Thomas Wright, Contractors' Examining Board Attorney – Addressed under Old Business

## c. Steve Williams, Assistant County Attorney – Address under Old Business

## d. Ronda Norman, Code Compliance Director

1. Cynthia McPherson, Sr. Administrator, sitting in for Ms. Norman, addressed the Board and introduced Wanda R. Rota-Reina, Sr. Code Compliance Supervisor, Upper Keys, and advised she will is currently working with Inspector Bruno learning how to write and issue citations.

Board welcomed her.

14. Meeting adjourned at 12:48 P.M.

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Odalys Mayan, License Coordinator

APPROVED by the Contractors Examining Board of Monroe County, Florida, at a regular meeting held on 13<sup>th</sup> day of May, 2014. ☒ "as submitted" or ☐ "as amended."

To request a copy of this hearing, please visit Monroe County website at [www.monroecounty-fl.gov](http://www.monroecounty-fl.gov) > Residents > Channel 76. <http://fl-monroecounty.civicplus.com/index.aspx?nid=121>